

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TERON FRANKLIN,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendant.

Case No. 3:18-cv-00522-CLB

JUDGE CARLA BALDWIN'S  
ORDER REGARDING CIVIL JURY  
TRIALS

1. TRIAL DATE. This case is scheduled for jury trial before the Honorable Carla Baldwin, United States Magistrate Judge, in Reno, Nevada, on **Tuesday, June 4, 2024, at 8:30 a.m.**

2. CALENDAR CALL: Counsel for all parties shall appear in person<sup>1</sup> in Courtroom 1 on **Monday, May 20, 2024, at 9:00 a.m.**, for a Calendar Call. Unless a party is appearing pro se, the individual parties will not be required to appear for Calendar Call unless Court directs otherwise. Counsel or their clients will be excused from Calendar Call if, prior to the scheduled calendar call, settlement papers have been filed in a civil case.

3. STATUS HEARINGS. The Court may conduct a status conference prior to the scheduled Calendar Call. Any party who wishes to request a pretrial status conference should notify the Courtroom Administrator no later than two weeks before Calendar Call. If the Court is satisfied during the status conference that the case is ready for trial, the Court may vacate the Calendar Call.

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<sup>1</sup> If this case involves a pro se plaintiff that is currently in the custody of the Nevada Department of Corrections, plaintiff shall appear telephonically. If this is the case, Defense counsel must provide the Courtroom Administrator with a phone number for the facility at which Plaintiff is housed no later than 3 business days before the calendar call.

4. MOTIONS IN LIMINE. Motions *in limine* must be fully briefed and submitted for decision no later than **thirty (30) days** before trial and must otherwise comply with Local Rule 16-3. Motions filed after this established deadline will be automatically denied. Counsel are required to meet and confer on the issues raised in the motion in limine before filing the motion and must include a statement certifying compliance with this personal consultation requirement.

5. WITNESSES. Counsel shall immediately subpoena all witnesses for the time and trial date as listed above. Pro se parties are responsible for ensuring that their witnesses attend trial. Motions for issuance of subpoenas to compel witness attendance at trial must be filed **30 days** before trial. Motions for writ of habeas corpus ad testificandum to compel the attendance of witnesses who are in custody must be filed **30 days** before trial. Inasmuch as the cases will be tried in a trailing fashion, the subpoenas should contain a special instruction from counsel directing witnesses to contact the office of counsel for further instructions prior to appearing for trial. Witnesses are not required to be present at the Calendar Call but must appear as subpoenaed. Counsel and parties appearing pro se must file their witness list **one week** before trial.

6. EXHIBITS. **One week** before trial, counsel and parties appearing pro se must electronically file their complete exhibit list of all exhibits that are intended to be used during the trial. At the same time, counsel must serve upon opposing counsel a copy of the same. Plaintiffs shall use numerals 1 through 499 and defendants shall use numerals 500 through 999. The exhibits are to be listed on a form provided by the Clerk's Office and may be computer-generated if they conform to the requirements of the form that is provided by the Clerk.<sup>2</sup> Counsel shall retain possession of their exhibits until such time as they are identified in open court; thereafter, the exhibits shall remain in the custody of the Clerk unless otherwise ordered.

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<sup>2</sup> The Court's preferred exhibit list format is found at [nvd.uscourts.gov/forms.apsx](http://nvd.uscourts.gov/forms.apsx) under "exhibit list"

1 In any case which involves fifteen (15) or more document exhibits, the pre-marked  
2 exhibits must be placed in a loose-leaf binder behind a tab noting the number of each  
3 exhibit and each exhibit shall be pre-marked with an exhibit sticker. The binder must be  
4 clearly marked on the front and side with the case caption and number and the  
5 sequence of exhibits. If oversized binders are used, the holes in the documents shall be  
6 large-sized so that the pages may be easily turned **5 calendar days** before trial, counsel  
7 must provide the Courtroom Administrator with (1) the binder containing the exhibits and  
8 (2) an electronic copy of the exhibits.

9 7. MARKING EXHIBITS. During preparations for trial, counsel for all parties  
10 must meet, confer, pre-mark and exchange all trial exhibits. At least **5 calendar days**  
11 before trial, counsel in civil cases must notify Judge Baldwin's Courtroom Administrator  
12 that the exhibits have been pre-marked.

13 8. EVIDENCE DISPLAY EQUIPMENT. Counsel wishing to utilize the Court's  
14 evidence display equipment must make contact with the Courtroom Administrator to  
15 determine its availability and to arrange for training. Counsel wishing to utilize their own  
16 display equipment must contact the Courtroom Administrator to arrange a time and date  
17 to set up the equipment prior to the trial.

18 9. JURY INSTRUCTIONS. Counsel are to comply with the Joint Pretrial  
19 Order. **One week** before trial, counsel must file with the Clerk's Office the original set of  
20 mutually acceptable jury instructions, a set of disputed instructions and the verdict forms.  
21 At the same time, the parties shall provide a copy of the same in MS Word format to  
22 chambers by email to the Courtroom Administrator at Lisa\_Mann@nvd.uscourts.gov.  
23 The set of disputed jury instructions must include the authority and argument for each  
24 instruction. Any modifications of instructions from statutory authority, the Ninth Circuit  
25 Manual of Model Jury Instructions, or any other model instructions, must specifically  
26 state the modification made to the original source and the authority and argument  
27 supporting the modification.  
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1           10.    SUGGESTED VOIR DIRE QUESTIONS. **One week** before trial, counsel or  
2 parties appearing pro se shall file with the Clerk of the Court all suggested voir dire  
3 questions to be asked of the jury panel by the Court. At the same time, the parties shall  
4 provide a copy of the same in MS Word format to chambers by email to the Courtroom  
5 Administrator at Lisa\_Mann@nvd.uscourts.gov.

6           11.    STATEMENT OF THE CASE. **One week** before trial, counsel or parties  
7 appearing pro se shall file with the Clerk of the Court a brief joint statement of the case,  
8 no longer than one-half page, stating the nature of the claims and defenses, to be read  
9 to prospective jurors at the time of jury selection. At the same time, the parties shall  
10 provide a copy of the same in MS Word format to chambers by email to the Courtroom  
11 Administrator at Lisa\_Mann@nvd.uscourts.gov. If the parties cannot agree on a joint  
12 statement, they must file a separate statement of the case with an explanation as to the  
13 areas of disagreement.

14           12.    TRIAL SCHEDULE. Trial will generally begin at 9:00 a.m. and end at 4:30  
15 p.m. Tuesday through Friday. However, parties should plan to be available between 8:30  
16 and 9:00 a.m. and after 4:30 p.m. each day of trial to address matters outside the  
17 presence of the jury. This standard trial schedule may be modified for good cause,  
18 however requests should be submitted at Calendar Call or before the written trial  
19 schedule is issued to jurors.

20           13.    SANCTIONS. Counsel are expected to be professional, courteous and  
21 collegial toward one another and the Court. As provided for under the Local Rules of  
22 Practice of this Court, the Court will consider the imposition of sanctions against any  
23 attorney who: (1) fails to timely file trial briefs, exhibits, or witness lists, whichever is  
24 applicable, as prescribed by the Pretrial Order, Order Regarding Pretrial Procedure,  
25 Scheduling Order or any order extending the time for such filings; (2) fails to comply with  
26 the provision of this order including, but not limited to, the failure to appear for pretrial  
27 status conference/calendar call without first having been excused by the Court or the  
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1 clerk with the permission of the Court; or (3) fails to timely comply with any other order  
2 that schedules deadlines for trial preparation.

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4 14. CONTACT PERSON. All questions and information regarding the trial  
5 calendar are to be directed to LISA MANN, Courtroom Administrator.

6 15. The **date** of the Clerk's File Mark shall constitute the date of this order.

7 IT IS SO ORDERED.

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10 /s/ CARLA BALDWIN  
11 UNITED STATES MAGISTRATE JUDGE  
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